

April 18, 1980

LB 790

of the Legislative Journal.) 36 ayes, 11 nays, 2 not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 790.

CLERK: Mr. President, Senator Haberman moves to return LB 790 to Select File, purpose being to strike the enacting clause.

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, would you please take your bill book and look on page 5, line 1 of this bill, and it says, a member of the council may be removed from the council for good cause upon written notice. Written notice from whom to whom? It doesn't say. And upon an opportunity to be heard before the Governor. What is to be heard before the Governor? When? Why? What conditions? And what for? I mean, the bill just doesn't say anything. Then it goes on to say, after the hearing the Governor shall file in the office of the Secretary of State a complete statement of the charges and the finding and disposition together with a complete record of the proceedings. It doesn't say what the Governor is going to do, whether the Governor says that the member should be removed. It doesn't say who should remove the member. So, I am trying to say that this section isn't any good. It doesn't mean anything. It doesn't explain anything. Now let's go to page 8 and section 8, and it says, if a county attorney or his deputy fails to complete a certain number of mandatory hours and the commission finds that he didn't do this because it was willfully or neglectfully done, that the attorney general shall commence civil action in District Court of the county where the county attorney held his office. It doesn't say when the attorney general will start this action. Does that mean thirty days, four years, or six years? It doesn't say. I doubt very much if the attorney general is going to go to Chase County or Douglas County and start a civil action against a fellow county attorney or a deputy county attorney. I doubt he is going to do that. But it doesn't say when he is going to do this. So it's very vague. I say it's bad. Also, on page 10, section 11, it says that all tuition, fees, and other expenses shall be paid to attend these seminars. Well, now, tuition, who sets the tuition and how much? The fees, who sets the fees? How much? And what are they going to be? And other expenses, what are those? There are no limits